

**NEW HAMPSHIRE EXECUTIVE BRANCH
ETHICS COMMITTEE**

**OFFICE OF THE ATTORNEY GENERAL
ROOM 302**

**October 1, 2008
8:00 AM**

Meeting called to order by Chairwoman Deborah Schachter.

Present: Deborah Schachter, Patricia Quigley, Karol LaCroix, Dale Kuehne, Alan Johnson

Absent: John Blair, one vacant position

Also Present: Associate Attorney General Richard Head

- The committee reviewed the draft minutes of the September 3, 2008 meeting and approved them.
- Attorney Head distributed a memorandum regarding confidential and non-public proceedings.
- The following Draft Advisory Opinions were considered:

Advisory Opinion 2008-002

May members of a board vote on targeting of funds if their employer organization has submitted a request for proposal?

May members of a board vote on targeting of funds if the organization that appointed the board member has submitted a request for proposal, but the board member is not employed by the appointing organization?

The committee discussed the draft opinion and made some minor revisions. The committee approved the amended opinion. Attorney Head will ascertain from the board if they want their name made public in the opinion. If not, Attorney Head will distribute a redacted version of the opinion at the next meeting.

Advisory Opinion 2008-0XX

May the chairperson of an executive branch licensing board use his or her government title for commercial purposes, while that person is employed by, or in an appointed position for, the state?

The committee reviewed and discussed the opinion and determined that the summary answer needs to be clarified in the narrative section. Attorney Head will revise the draft opinion for discussion at the next meeting.

- **Request for opinion regarding honorariums**

Before discussing the request, Deborah Schachter disclosed that the requestor is a friend of hers and that funding for the program in question is provided by Ms. Schachter's employer. Ms. Schachter stated that she had concluded that recusal was not necessary, but would recuse herself if the Committee concluded she should. The members of the Committee agreed that recusal was not necessary.

The committee discussed the law regarding honorariums and gifts. There was disagreement among committee members as to whether the financial support the requestor would receive is an honorarium or a gift and all members struggled with this issue and the language in the statute. Attorney Head will draft an opinion for discussion at the next meeting. The committee will discuss language regarding a change in the statute at the next meeting.

- The committee entered into a non-public session pursuant to RSA 21-G:31, V at 9:25 a.m. and concluded the non-public session at 10:00 a.m.
- The committee unanimously voted that the minutes in the non-public session remain non-public.
- The next meeting will be held on November 5, 2008.

Meeting adjourned at 10:01 a.m.

Respectfully Submitted

Kara-Lee Bean

Kara-Lee Bean
Recording Secretary